

Respondent.

2012 DEC -3 AM II: 16 EPA REGION VIII In the Matter of: ORDER GRANTING MOTION FOR THIRD NELCON, INC. AND FINAL EXTENSION OF TIME 304 Jellison Road TO RESPOND TO COMPLAINT Kalispell, MT 59903

DOCKET NO.: CWA-08-2012-0025

By Motion dated, November 29, 2012, attorney for Respondent has requested an UNOPPOSED MOTION FOR EXTENSION OF TIME to file an Answer until December 7, 2012 to the ADMINISTRATIVE COMPLAINT AND NOTICE OF OPPORTUNITY FOR HEARING dated August 29, 2012. The Respondent's counsel states she needs more time to become familiar with facts and issues raised in the Complaint.

The Motion for Extension of Time is granted to December 7, 2012, pursuant to Section 22.16 of the Consolidated Rules of Practice. However, this is the third and final extension of time to file an answer. Settlement discussions can continue after the answer is filed.

Regional Judicial Officer

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached ORDER GRANTING THIRD AND FINAL EXTENSION OF TIME TO FILE ANSWER, in the matter of NELCON, INC.; DOCKET NO.: CWA-08-2012-0025 was filed with the Regional Hearing Clerk on December 3, 2012.

Further, the undersigned certifies that a true and correct copy of the documents were delivered to Charles Figur, Senior Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested and e-mailed on December 3, 2012, to:

Respondent's Attorney:

Rebecca L. Summerville Datsopoulos, MacDonald & Lind, P. C. 201 W. Main Street, Suite 201 Missoula, MT 59802 rsummerville@dmllaw.com

December 3, 2012

Tina Artemis

Paralegal/Regional Hearing Clerk